IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/527,772		
Confirmation No. 5210		
Applicant: Tanaka et al.		
Filed: April 18, 2005		
TC/AU: 1639		
Examiner: Amber D. Steele		
Docket No.: 234732 (Client Reference No. 201299)		
Customer No.: 23460		
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		
Dear Sir:		
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed June 17, 2009, rejecting the following claims: 8-11 and 14. Claims 1-4, 6, 12, and 13 also are pending and have been withdrawn from consideration by the Examiner as directed to a non-elected invention in response to a restriction requirement.		
1. Pre-Appeal Brief Request for Review		
A "Pre-Appeal Brief Request for Review" ☐ is filed concurrently herewith or ☒ is not being filed.		
2. Status of Applicants		
This application is on behalf of \square other than a small entity or \boxtimes a small entity.		
3. Fee for Filing Notice of Appeal		
Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: other than a small entity or a small entity.		
Notice of Appeal Fee due \$270.00		

	☐ A Notice of Appeal Fee was previously paid with respect to an earlier Appeal which no final Board decision was rendered, and the amount previously paid hereby deducted from the Notice of Appeal Fee submitted herewith. Amount of Previously Paid Notice of Appeal Fee (\$0 Total Amount of Notice of Appeal Fee Submitted Herewith \$27	id is
4.	Fee for Requesting Oral Hearing	
	Pursuant to 37 CFR 41.20(b), the fee for filing the Request for Oral Hearing is for other than a small entity or a small entity.	:
	Fee for Requesting Oral Hearing due \$	0.00
	A fee for requesting an Oral Hearing was previously paid with respect to an ear Appeal, on which no final Board decision was rendered, and the ampreviously paid is hereby deducted from the Fee for Requesting Oral Hear submitted herewith.	ount
	Amount of Previously Paid Fee for Requesting Oral Hearing (\$0	0.00)
,	Total Amount of Fee for Requesting Oral Hearing Submitted Herewith \$	0.00
5.	Extension of Time	
	Appellants note that a Form PTO-1083 is filed concurrently which petitions for a three-month extension of time under 37 CFR 1.136, the fee for which is \$555.00.	
6.	Total Fee Due	
	The total fee due is:	
	Notice of Appeal Fee \$270.00 Request for Oral Hearing \$0.00 Extension Fee (if any) \$0.00 Total Fee Due: \$27	0.00
7.	Fee Payment	
	☐ Attached is a check in the sum of \$.☐ Charge Account No. 12-1216 the sum of \$270.00.	

8. Fee Deficiency

Date: December 17, 2009

If any additional fee is required in connection with this communication, charge Account No. 12-1216.

Respectfully submitted,

John Kilyk, Jr., Reg. No. 39,763

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